

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND DIVISION**

THE UNITED STATES OF AMERICA	§	
Plaintiff,	§	
vs.	§	MO:14-CR-00103-RAJ
	§	
DELFINO BUSTOS	§	
Defendant	§	

MOTION TO CONTINUE SENTENCING

TO THE HONORABLE DISTRICT JUDGE:

The Defendant in the above numbered and styled cause, DELFINO BUSTOS under the Sixth Amendment to the United States Constitutions and Rule 50 respectfully moves the Court for an order continuing the Sentencing. In support of this motion Defendant, DELFINO BUSTOS, would show the Court as follows:

1. The Defendant's Counsel is set for a Trial on Tuesday, August 26-28 at 9:00 a.m. in the State of Texas v. Gabriel Alvarado-Torres in the 142nd District Court, Midland, Texas.
2. The Defendant and his attorney move the court to reschedule the sentencing hearing to a later date.
3. DEFENSE COUNSEL has notified the Prosecution of this motion but has not heard a response.

WHEREFORE PREMISES CONSIDERED, the Defendant prays this Motion to Continue be granted and that the ends of justice outweigh the interests of the public and that this cause be continued.

Respectfully submitted,

/s/ Alvaro Martinez, Jr.

Alvaro Martinez, Jr.

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ATTORNEY FOR DEFENDANT

DELFINO BUSTOS

CERTIFICATE OF SERVICE

I, ALVARO MARTINEZ, JR., certify that a true and correct copy of the foregoing Motion to Continue electronically filed the foregoing with the Clerk of the Court using the CM/EFC system which will send notification of such filing to AUSA Brandi Young.

/s/Alvaro Martinez, Jr.

ALVARO MARTINEZ, JR.

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ORDER

On this day came on to be considered the Defendant's Motion to Continue Sentencing and the Court having considered the motion, it is therefore, ORDERED, that the aforesaid Motion is hereby GRANTED or DENIED.

IT IS HEREBY ORDERED that the above entitled and numbered case is reset for **SENTENCING IN MIDLAND** on the THIRD floor of the United States Courthouse, 100 E. Wall Street, Midland, Texas 79701, on _____, _____, **2014** at _____ **m.**

IT IS FURTHER ORDERED that the Clerk of Court shall send a copy of this order to counsel for defendant, the United States Attorney, United States Pretrial Services and the United States Probation Office. Counsel for the defendant shall notify the defendant of this setting and, if the defendant is on bond, advise the defendant to be present at this proceeding.

IT IS SO ORDERED on _____ day, August 2014.

JUDGE PRESIDING